wherein said output means comprises combination means for combining the processed [coded] code data and the processed image data on a color memory, and for outputting the combined data.

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 3, 1996. Claims 1-71 and 73-87 remain pending, with Claims 71, 73, 74, 76, 77, 80-82, 84, 85 and 87 having been amended in terms which more clearly define the present invention. Claims 71, 76, 80, 84 and 87 are the independent reissue claims. Favorable reconsideration is requested.

Initially, Applicants thank the Examiner for allowing original Claims 1-70.

Furthermore, Applicants thank the Examiner for pointing out the erroneous format used by Applicants in the prior Amendments dated November 15, 1995 and September 10, 1992. Because the Office Action required correction of these prior Amendments, Applicants are now presenting all the amended claims in the proper format, where some of the claims have been additionally amended to address the prior art rejection, as discussed below. Applicants submit that the cancellation of reissue Claim 72 was in proper format and need not be repeated herein. Applicants submit that the

amendments to the claims are now proper and that the claims themselves are proper under Section 112.

In the Office Action, Claims 1 and 73-87 were rejected as based on a defective reissue declaration under 35 U.S.C.§ 251. As Applicants have previously acknowledged, a second supplemental reissue declaration is of course required in the present reissue application, since the claims were amended after they were allowed and the previous Supplemental Reissue Declaration, filed June 23, 1994, was accepted. However, Applicants respectfully traverse the requirement that the second supplemental reissue declaration be filed now, before the claims are indicated as being allowable over the prior art. This would be true in any reissue application, since each change must be addressed in the declaration and it is unfair to the applicants to require a new declaration each time an Amendment is filed.

Moreover, Applicants submit that it is particularly unfair to require a declaration at this time in the present case, because Applicants have already had a personal interview with the Examiner then in charge of the parent of this application and with the Special Projects Examiner for the express purpose of determining what the format of the declaration should be and what Applicants needed to say to explain the differences between the reissue claims as originally filed and the original claim. In accordance with that interview, Applicants drafted and filed the Supplemental

Reissue Declaration, which was accepted and the parent application allowed.

In particular, at that interview, Applicants explained that the original claims required that the image data be processed or output in units of a predetermined number of lines, and that the reason for the reissue application was the discovery that the limitation to a predetermined number of lines was unnecessary. The facts behind these statements are fully set out in paragraphs 7 and 10-12. Furthermore, at the interview, Applicants' undersigned attorney pointed out that the reissue claims did not simply delete language from the original claims, but rather were rewritten to define the invention more broadly. Accordingly, it was agreed at the interview that the best way to explain these differences was to set out the reissue claims in full in the declaration, and this was done in paragraph 8 of the Supplemental Reissue Declaration. As noted above, this Supplemental Reissue Declaration was accepted as fulfilling the requirements of 35 U.S.C.§ 251. For this reason, Applicants also traverse the statement in the Office Action that the Supplemental Reissue Declaration does not sufficiently explain how the errors arose, and submits that the Supplemental Reissue Declaration is proper and sufficient in all respects except for setting forth the reissue claims as now amended.

Accordingly, Applicants respectfully traverse the requirement to submit a second supplemental reissue declaration at this time, before the claims are put in final form and before it is determined what new format for the declaration will now be acceptable. To this end, Applicants' attorney believes that another interview for the purpose of determining an acceptable format may be of use. As Applicants have stated, although they believe the Supplemental Reissue Declaration to be in the correct format, they are perfectly willing to submit a second supplemental reissue declaration in any format determined by the Examiner, but at this point it would be both premature and unfair to require submission of such a declaration.

In the Office Action, Claims 71 and 73-87 were rejected over well-known prior art (supplying color image information and character code data through a common line to image processing apparatus) in view of Japanese patent documents 56-21471 (Kanayama et al.), 55-76480 (Yamanaka et al.) and 58-223954 (Matsunaga). As shown above, Applicants have amended the independent Claims 71, 76, 80, 84 and 87 in terms which more clearly define the present invention. However, the changes to Claim 87 are purely formal, and therefore Applicants are traversing this rejection. Applicants submit that the reissue claims are patentably distinct from the cited prior art for the following reasons.

Amended independent Claim 71 is characterized in that, among other features, patterns of the plural color component information and at least one pattern corresponding to character code data are combined in memory means capable of handling each color. In particular, the transmission rate of the color component data is relatively high. Therefore, as shown in Fig. 1 of the attached Exhibit, in the apparatus of Claim 71 the plural color component information is derived from color image information and developed into patterns of the plural color component information, and only then are the patterns of the plural color information and at least one pattern corresponding to character code data combined in memory prepared for respective colors. As a result, there is no need for high speed timing control to combine the character code data with the color component information before it is stored.

On the other hand, if color image data is combined with character code data and thereafter the plural color component data are derived and stored in memory for respective colors (see Fig. 2 of the attached Exhibit) in this case, a high speed timing control is required to arrange the character code data at correct positions for combination with the respective color component data. That is, if the color component data and the character code data are not combined at the correct position, misalignment in color occurs and color blurring appears around a character.

According to the present invention as defined in Claim 71, the combination process is executed in the memory, which reduces the occurrence of misalignment in color.

As understood by Applicants, each of the cited references fails to teach or suggest that the plural color component information is derived and developed into patterns before being combined with the character code data. Applicants submit, therefore, that Claim 71 is patentably distinct from this art.

Amended Claim 76 is identical to Claim 71 except in further defining that the color image information is of multi-value color image data. Amended Claims 80 and 84 are method claims corresponding to Claims 71 and 76, respectively. Applicants submit that these claims are patentably distinct from the cited art for the same reasons s Claim 71.

Finally, Applicants submit that independent Claim 87 already recites the above-discussed feature that distinguishes amended Claim 71 from the cited art. That is, in Claim 87, the image data and the code data are separated and then processed separately before being combined and output. Accordingly, Claim 87 is also believed to be distinct from the cited art.

In view of the above amendments and remarks, the Examiner is respectfully requested to withdraw the rejections and to allow the reissue claims.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 758-2400. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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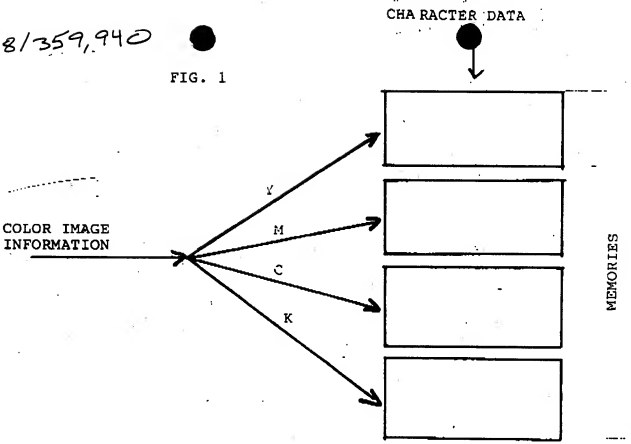
FIG. 1



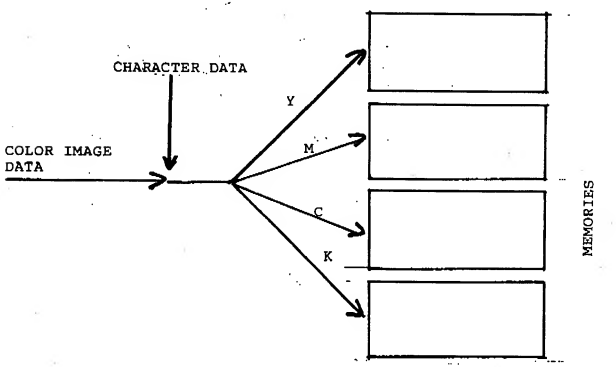


FIG. 2

Exhibit